IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

PAUL J. MARTIN,)

Plaintiff,)

v.) 1:05CV00731

PATRICK INDUSTRIES, INC.,)

Defendant.)

ORDER and JUDGMENT

OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Defendant Patrick

Industries, Inc.'s Motion for Summary Judgment [31] is GRANTED.

This the 13th day of March 2007.

United States District Judge